

Agricultural Marketing Service, USDA

§ 28.9

(r) *Person*. Individual, association, partnership, or corporation, or two or more individuals having a joint or common interest.

(s) *Owner*. Person who through financial interest, owns, controls, or has the disposition either of cotton or of samples.

(t) *Custodian*. Person who has possession or control of cotton or of samples, as agent, controller, broker, or factor, as the case may be.

(u) *State*. A State, Territory, or district of the United States.

(Sec. 2, Pub. Res. 72-73, 47 Stat. 1621 (7 U.S.C. 51b); sec. 3c, Pub. L. 75-28, 50 Stat. 62 (7 U.S.C. 473c))

[22 FR 10932, Dec. 28, 1957, as amended at 28 FR 10633, Oct. 3, 1963; 30 FR 6637, May 14, 1965; 42 FR 24711, May 16, 1977; 46 FR 24927, May 4, 1981; 52 FR 30880, Aug. 18, 1987; 58 FR 41993, Aug. 6, 1993; 65 FR 36600, June 9, 2000]

ADMINISTRATIVE AND GENERAL

§ 28.3 Director.

The Director shall perform for and under the supervision of the Secretary and the Administrator, such duties as the Secretary or the Administrator may require in enforcing the provisions of the Act and the regulations issued thereunder.

§ 28.4 Classing offices.

Classing Offices shall be maintained at points designated by the Administrator. Requests for the review of the classification and/or comparison of cotton performed by Classing Offices may be referred to the Quality Control Section.

[52 FR 30881, Aug. 18, 1987]

§§ 28.5-28.6 [Reserved]

§ 28.7 Area Director, Classing Office; responsibility.

Subject to this subpart and the instructions of the Director, the Area Director of each Classing Office shall be responsible for the proper performance of the duties imposed on such office and on the persons connected therewith. The Area Director shall be responsible for receiving all correspondence relating to the classification of cotton under the act and for providing that all samples are prepared for classi-

fication and/or comparison in such manner that the name of the owner and/or the custodian shall be unknown to the cotton classers until after the samples are classified.

[52 FR 30881, Aug. 18, 1987]

§ 28.8 Classification of cotton; determination.

For the purposes of The Act, the classification of any cotton shall be determined by the quality of a sample in accordance with Universal Cotton Standards (the official cotton standards of the United States) for the color grade and the leaf grade of American upland cotton, the length of staple, and fiber property measurements such as micronaire. High Volume Instruments will determine all fiber property measurements except extraneous matter, special conditions and remarks. High Volume Instrument colormeter measurements will be used for determining the official color grade. Cotton classers authorized by the Cotton and Tobacco Programs will determine the presence of extraneous matter, special conditions and remarks and authorized employees of the Cotton and Tobacco Programs will determine all fiber property measurements using High Volume Instruments. The classification record of a Classing Office or the Quality Control Division with respect to any cotton shall be deemed to be the classification record of the Department.

[77 FR 20505, Apr. 5, 2012]

§ 28.9 Inspection; sampling; classification.

The inspection, sampling, and classification of cotton in the United States pursuant to the Act shall be performed as prescribed in this subpart. Subject in general to the provisions of this subpart the Director may issue from time to time instructions for the sampling, classification, and issuance of classification memoranda for cotton classed for special programs and other Government agencies, including the review of any classification performed pursuant to §§ 28.901 through 28.919.

[58 FR 41993, Aug. 6, 1993]